

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA
Plaintiff**

v.

Case Number 4:04CR3115-001

USM Number 37406-060

BRADLEY D SMITH

Defendant

**Michael J. Hansen
Defendant's Attorney**

**JUDGMENT IN A CRIMINAL CASE
(For Revocation of Probation or Supervised Release)**

THE DEFENDANT admitted guilt to allegation numbers 2, 3, and 4 of the Amended Petition for Offender Under Supervision (filing 5).

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
2 (Standard Condition)	While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court and shall comply with the following additional conditions.	August 6, 2004
3 (Additional Condition)	The defendant shall make restitution to the following persons in the following amounts: Classic Oldsmobile, Inc. Ralph Wilson, President 1700 Mentor Avenue Painesville, OH 44077; 440-639-4500; \$20,585.95. Lambert Buick Pontiac-GMC, Inc. Bonnie L. Kahook, Secretary-Treasurer 2409 Front Street Cuyahoga Falls, OH 44221; 330-923-9771; \$19,839.00. Greenwood Chevrolet, Inc. Youngstown, Ohio; \$5,542.70. Jim Pace GM Parts Warehouse, Niles, Ohio; \$1,883.47. Payments of restitution are to be made payable to the Clerk of U.S. District Court. Restitution shall be paid at a minimum rate of 20% of gross monthly income.	June 21, 2004

4 (Standard Condition)	While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court and shall comply with the following additional conditions.	August 26, 2004
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Original Offense: Count I of the Indictment: Interstate Transportation of Property Taken by Fraud, in violation of 18 U.S.C. 2314; and Count II of the Indictment: Mail Fraud, in violation of 18 U.S.C. 1341.

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Allegation number 1 of the Amended Petition for Offender Under Supervision (filing 5) is dismissed without prejudice on the motion of the United States.

Following the imposition of sentence, the Court advised the defendant of his right to appeal pursuant to the provisions of Fed. R. Crim. P. 32 and the provisions of 18 U.S.C. § 3742 (a) and that such Notice of Appeal must be filed with the Clerk of this Court within ten (10) days of this date.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:
May 25, 2006

s/ Richard G. Kopf
United States District Judge

May 31, 2006

Defendant: BRADLEY D SMITH
Case Number: 4:04CR3115-001

Page 3 of 4

IMPRISONMENT

It is ordered that the defendant's supervised release is revoked. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **18 months with no supervised release to follow; said term shall run consecutive to state sentences imposed in Gosper County District Court, Case No. CR04-19, and Kearney County District Court, Case No. CR05-12.**

The defendant is remanded to the custody of the United States Marshal.

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this _____ day of _____, _____

Signature of Defendant

RETURN

It is hereby acknowledged that the defendant was delivered on the _____ day of _____, _____ to _____, with a certified copy of this judgment.

UNITED STATES WARDEN

By: _____

NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt, above.

CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this _____ day of _____, _____

UNITED STATES WARDEN

By: _____

Defendant: BRADLEY D SMITH
Case Number: 4:04CR3115-001

Page 4 of 4

RESTITUTION AND FORFEITURE

The defendant shall make restitution to the following persons in the following amounts:

RESTITUTION

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Classic Oldsmobile, Inc.	\$20,432.47
Lambert Buick Pontiac-GMC, Inc.	\$19,692.48
Greenwood Chevrolet, Inc.	\$5,542.70
Jim Pace GM Parts Warehouse	\$1,883.47
Totals	\$47,551.12

(The foregoing sums reflect the status of restitution at the time of the entry of this judgment as opposed to the amounts set forth in the original judgment. In other words, the defendant has been credited with payments shown in the financial records of this court.)

Payments of restitution are to be made payable to the Clerk, U.S. District Court.

Restitution shall be paid at a minimum rate of 20% of gross monthly income.

CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: _____

DENISE M. LUCKS, CLERK

By _____ Deputy Clerk